

EXPRESS MAIL NO.  
EL375784614US



211A 2828-PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
MINORU TAKEBE et al. )  
International Application No. PCT/JP98/03719 )  
Serial No. 09/284,935 )  
Filed: April 21, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
)

ATTN: BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In regards to the above-identified application which was entered into the U.S. National Stage without the Declaration of the inventors, a notification pursuant to 37 CFR 1.494(c) has not yet been issued or sent to the undersigned. However, pursuant to the instructions given to the undersigned by the PCT Help Desk, enclosed herewith please find an executed Declaration & Power of Attorney form and a check in the sum of \$130.00 as the late filing fee so that the requirements for this application can be met. Still further, enclosed herewith pleased find an Assignment, Recordation Form Cover Sheet and a check in the sum of \$40.00 as the recordation fee.

If any further fees are required by the acceptance of the enclosed forms, please charge those fees of KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
Tel: (310) 277-1391  
Fax: (310) 277-4118

  
By \_\_\_\_\_  
William L. Androlia  
Reg. No. 27,177



## Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

60 / 984005

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/284,935

TAKEBE

M 211A 2828 PC

INTERNATIONAL APPLICATION NO.

KODA & ANDROLIA  
10100 SANTA MONICA BOULEVARD  
SUITE 2340  
LOS ANGELES CA 90067

RECEIVED

MAY 27 1999

KODA &amp; ANDROLIA

PCT/JP98/03719

I.A. FILING DATE

PRIORITY DATE

08/21/98 08/21/97

DATE MAILED:

05/24/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495);
- U.S. Basic National Fee.
- Copy of the international application in:
  - a non-English language.
  - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed 21 April 1999 and \_\_\_\_\_.
- Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_.
- Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report  and copies of the references cited therein.
- Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.4(E)(4).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

S. AHMED  
Telephone: (703) 305-3659

**COPY**

211A 2828 PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:  
MINORU TAKEBE et al.  
Serial No. 09/284,935  
Filed: April 21, 1999  
For: BENEFICIAL MICROORGANISM PROPAGATION-  
PROMOTING MATERIAL AND A PROCESS FOR  
PREPARING THE SAME

)  
BOX PCT

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

**Certificate of Mailing**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 5-27-99

WILLIAM L. ANDROLIA  
(date of deposit)  
Typed or printed name of person signing this certificate  
WLA 5-27-99  
Signature Dated

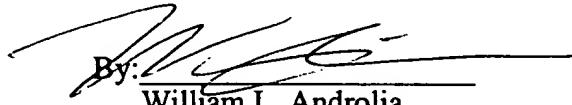
In response to the Notification of Missing Requirements Under 35 USC 371 dated May 24, 1999, Applicant respectfully submits that a communication was already sent to the Patent Office on May 3, 1999 via United States Express Mail which included the Declaration & Power of Attorney and the \$130.00 surcharge for the late filing thereof. A copy of the entire communication, which also included an Assignment, Recordation Cover Sheet and Mailing Certificate, is enclosed herewith along with a copy of the returned postcard indicating receipt at the Patent Office.

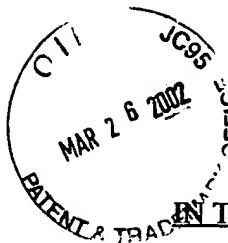
Applicant therefore respectfully submits that no further documents or fees are required from Applicant at this time. If, however, further fees are required, please charge those fees to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391  
(310) 277-4118 -fax  
WLA/kaq

  
By: William L. Androlia  
Reg. No. 27,177



# COPY

211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
MINORU TAKEBE et al. )  
Serial No. 09/284,935 )  
Filed: April 21, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
)

Group Art Unit: 1761

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

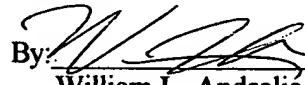
Dear Sir:

In connection with the above-identified application, upon review of the Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495, a copy of which is enclosed, it was found that it contained errors. Instead of "35 U.S.C. 102(e) Date: 01 June 99," and "Date of Receipt of 35 U.S.C. 371 Requirements: 01 June 99," the correct dates should be --35 U.S.C. 102(e) DATE: 03 May 1999-- and --DATE OF RECEIPT OF 35 U.S.C. 371 REQUIREMENTS: 03 May 1999--. Also enclosed for your reference are copies of a letter, a check for \$130.00, and a returned postcard dated May 3, 1999, and a letter and returned postcard stamped by the Patent Office dated May 27, 1999.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495 which reflects the above information.

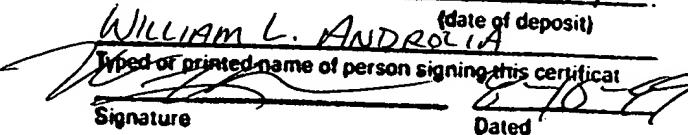
Respectfully submitted,

KODA & ANDROLIA

By:   
William L. Androlia

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391

**Certificate of Mailing**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99  
(date of deposit)

**William L. Androlia**  
Typed or printed name of person signing this certificate  
Signature   
Dated 8-10-99



# COPY

211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
MINORU TAKEBE et al. )  
Serial No. 09/284,935 )  
Filed: May 3, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
) Attention: Application  
Processing Division's  
Customer Correction Branch

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, upon review of the Filing Receipt, a copy of which is enclosed, it was found that it contained errors. Instead of "Filing Date: 06/01/99," the correct Filing Date should be --FILING DATE: 05/03/99-- as indicated in the enclosed copy of a letter dated August 10, 1999; instead of "Fil Fee Rec'd: \$1,100.00," the correct amount of the Filing Fee Received should be --FIL FEE REC'D: \$1,230.00-- which includes the filing fee as filed on May 3, 1999 for \$1,100.00 and the late filing fee of \$130.00 filed on May 27, 1999; and instead of "Growth Promoting Material for useful Microorganisms and Process for Producing the Same," the correct Title of Invention should be --BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME--. Also enclosed for your reference are copies of a letter dated May 27, 1999, a returned postcard stamped by the Patent Office, a letter and a returned postcard stamped by the Patent Office dated May 3, 1999, and a PCT Application Transmittal Form.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Filing Receipt which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

By:   
William L. Androlia  
Reg. No. 27,177

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99

(date of deposit)

Typed or printed name of person signing this certificate

Signature

Dated

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/284,935	06/01/99	1761	\$1,100.00	211A-2828-PC	2	12	3

05/03/99

\$1,230.00

RECEIVED

JUN 14 1999

KODA &amp; ANDROLIA

KODA & ANDROLIA  
10100 SANTA MONICA BOULEVARD  
SUITE 2340  
LOS ANGELES CA 90067

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the date presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

## Applicant(s)

MINORU TAKEBE, TOKYO, JAPAN; MASAKAZU MORIMOTO, TOKYO, JAPAN.

## CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/JP98/03719 08/21/98

FOREIGN APPLICATIONS- JAPAN 225296/1997 08/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 06/11/99

## TITLE

GROWTH PROMOTING MATERIAL FOR USEFUL MICROORGANISMS  
AND PROCESS FOR PRODUCING THE SAME

PRELIMINARY CLASS: 426

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A  
PROCESS FOR PREPARING THE SAME

DATA ENTRY BY: NGUYEN, SON

TEAM: 11 DATE: 06/11/99





# COPY

211A 2828 PCT-CPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MINORU TAKEBE

Serial No: 09/284,935

Filed: May 3, 1999

For: BENEFICIAL MICROORGANISM  
PROPAGATION-PROMOTING  
MATERIAL AND A PROCESS FOR  
PREPARING THE SAME

Art Unit: 1651

Examiner: V. Afremova

**REQUEST FOR CORRECTED NOTIFICATION**Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Attached is a copy of the corrected official filing receipt received from the U.S. Patent Office in the above application for which issuance of a corrected filing receipt is respectfully requested. In particular, the filing date and the title are incorrect. The correct filing date of the present application is **May 3, 1999** and the correct title is **BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME**. Enclosed for your information are copies of two previous correspondences dated August 10, 1999 in which Applicant requested a corrected filing date and the title.

It is therefore respectfully requested that the Patent Office correct its records and issue a corrected filing receipt which reflects the above information.

Respectfully submitted,  
KODA & ANDROLIABy:   
William L. Androlia  
Reg. No. 27,177

2029 Century Park East  
Suite 3850  
Los Angeles, CA 90067-3024  
Tel: (310) 277-1391  
Fax: (310) 277-4118

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington D.C. 20231, n

October 23, 2001

Date of Deposit

William L. Androlia

Name

10/23/2001

Signature Date



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/284,935	06/01/1999 05/03/1999	1651	1230	211A-2828-PC	2	12	3

CONFIRMATION NO. 3005

CORRECTED FILING RECEIPT



\*OC000000006495216\*

KODA & ANDROLIA  
10100 SANTA MONICA BOULEVARD  
SUITE 2340  
LOS ANGELES, CA 90067

RECEIVED

SEP - 6 2001

KODA & ANDROLIA

Date Mailed: 08/30/2001

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

MINORU TAKEBE, TOKYO, JAPAN;  
MASAKAZU MORIMOTO, TOKYO, JAPAN;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A 371 OF PCT/JP98/03719 08/21/1998

**Foreign Applications**

JAPAN 225296/1997 08/21/1997

**If Required, Foreign Filing License Granted 08/29/2001**

**CPA filed on: 04/17/2001**

**Projected Publication Date: 12/06/2001**

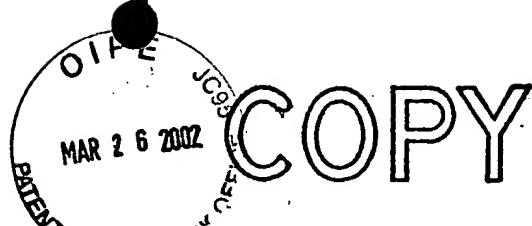
**Non-Publication Request: No**

**Early Publication Request: No**

**Title**

GROWTH PROMOTING MATERIAL FOR USEFUL MICROORGANISMS AND PROCESS FOR PRODUCING THE SAME

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME



211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
MINORU TAKEBE et al. )  
Serial No. 09/284,935 )  
Filed: April 21, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
)

Group Art Unit: 1761

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

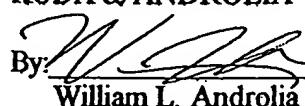
Dear Sir:

In connection with the above-identified application, upon review of the Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495, a copy of which is enclosed, it was found that it contained errors. Instead of "35 U.S.C. 102(e) Date: 01 June 99," and "Date of Receipt of 35 U.S.C. 371 Requirements: 01 June 99," the correct dates should be --35 U.S.C. 102(e) DATE: 03 May 1999-- and --DATE OF RECEIPT OF 35 U.S.C. 371 REQUIREMENTS: 03 May 1999--. Also enclosed for your reference are copies of a letter, a check for \$130.00, and a returned postcard dated May 3, 1999, and a letter and returned postcard stamped by the Patent Office dated May 27, 1999.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.494 or 1.495 which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

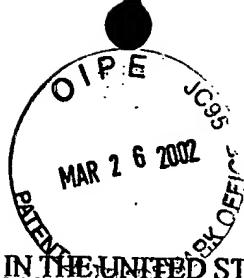
By:   
William L. Androlia  
Reg. No. 27,177

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391

Certificate of Mailing  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99.

William L. ANDROLIA (date of deposit)

Typed or printed name I person signing this certificate



211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
MINORU TAKEBE et al. )  
Serial No. 09/284,935 )  
Filed: May 3, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
) Attention: Application  
Processing Division's  
Customer Correction Branch

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In connection with the above-identified application, upon review of the Filing Receipt, a copy of which is enclosed, it was found that it contained errors. Instead of "Filing Date: 06/01/99," the correct Filing Date should be --FILING DATE: 05/03/99-- as indicated in the enclosed copy of a letter dated August 10, 1999; instead of "Fil Fee Rec'd: \$1,100.00," the correct amount of the Filing Fee Received should be --FIL FEE REC'D: \$1,230.00-- which includes the filing fee as filed on May 3, 1999 for \$1,100.00 and the late filing fee of \$130.00 filed on May 27, 1999; and instead of "Growth Promoting Material for useful Microorganisms and Process for Producing the Same," the correct Title of Invention should be --BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME--. Also enclosed for your reference are copies of a letter dated May 27, 1999, a returned postcard stamped by the Patent Office, a letter and a returned postcard stamped by the Patent Office dated May 3, 1999, and a PCT Application Transmittal Form.

It is therefore respectfully requested that the Patent Office correct its records and issue a Corrected Filing Receipt which reflects the above information.

Respectfully submitted,

KODA & ANDROLIA

By:

William L. Androlia  
Reg. No. 27,177

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391

Certificate of Mailing  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents and Trademarks, Washington, D.C. 20231 on 8-10-99.

WILLIAM L. ANDROLIA (date of deposit)

Typed or printed name of person signing this certificate

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/284,935	06/01/99	1761	\$1,100.00	211A-2828-PC	2	12	3

05/03/99

\$1,230.00

RECEIVED

JUN 14 1999

KODA &amp; ANDROLIA

KODA & ANDROLIA  
10100 SANTA MONICA BOULEVARD  
SUITE 2340  
LOS ANGELES CA 90067

## Applicant(s)

MINORU TAKEBE, TOKYO, JAPAN; MASAKAZU MORIMOTO, TOKYO,  
JAPAN.

## CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A 371 OF PCT/JP98/03719 08/21/98

FOREIGN APPLICATIONS- JAPAN 225296/1997 08/21/97

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 06/11/99  
TITLE

GROWTH PROMOTING MATERIAL FOR USEFUL MICROORGANISMS  
AND PROCESS FOR PRODUCING THE SAME

PRELIMINARY CLASS: 426

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A  
PROCESS FOR PREPARING THE SAME

# COPY

516 Rec'd PCT/PTO

01 JUN 1999

211A 2828 PCT NAKAO & ITO

Serial No. 09/284,935

Inventors: MINROU TAKEBE et al.

For: BENEFICIAL MICROORGANISM PROPAGATION-  
PROMOTING MATERIAL AND A PROCESS FOR  
PREPARING THE SAME

LETTER WITH MAILING CERTIFICATE, NOTIFICATION  
OF MISSING REQUIREMENTS UNDER 35 USC 371, COPY  
OF ENTIRE COMMUNICATION TO THE PATENT OFFICE  
DATED 05/03/1999, INCLUDING RETURNED POSTCARD.

Sent to PO: May 27, 1999

JUN 04 1999

KODA & ANDROLIA

211A 2828 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
MINORU TAKEBE et al.  
Serial No. 09/284,935  
Filed: April 21, 1999  
For: BENEFICIAL MICROORGANISM PROPAGATION-  
PROMOTING MATERIAL AND A PROCESS FOR  
PREPARING THE SAME

LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Certificate of Mailing  
I hereby certify that this correspondence is being  
deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope  
addressed to: Commissioner for Patents and Trademarks,  
Washington, D.C. 20231 on 5-27-99

WILLIAM L. ANDROLIA (Date of deposit)  
Typed or printed name of person signing this certificate  
WL Signature 5-27-99 Dated

In response to the Notification of Missing Requirements Under 35 USC 371 dated

May 24, 1999, Applicant respectfully submits that a communication was already sent to the Patent Office on May 3, 1999 via United States Express Mail which included the Declaration & Power of Attorney and the \$130.00 surcharge for the late filing thereof. A copy of the entire communication, which also included an Assignment, Recordation Cover Sheet and Mailing Certificate, is enclosed herewith along with a copy of the returned postcard indicating receipt at the Patent Office.

Applicant therefore respectfully submits that no further documents or fees are required from Applicant at this time. If, however, further fees are required, please charge those fees to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
(310) 277-1391  
(310) 277-4118 -fax  
WLA/kaq

  
By: William L. Androlia  
Reg. No. 27,177

# COPY

211A 2828 PCT NAKAO & ITO

Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO

Serial No. 09/284,935

For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING  
MATERIAL AND A PROCESS FOR PREPARING THE SAME

LETTER, MAILING CERTIFICATE, DECLARATION OF POWER OF  
ATTORNEY, ASSIGNMENT, RECORDATION FORM COVER SHEET,  
AND CHECKS FOR \$130.00 AND \$40.00.

RECEIVED

MAY 11 1999

Sent to PO: May 3, 1999

KODA & ANDROLIA

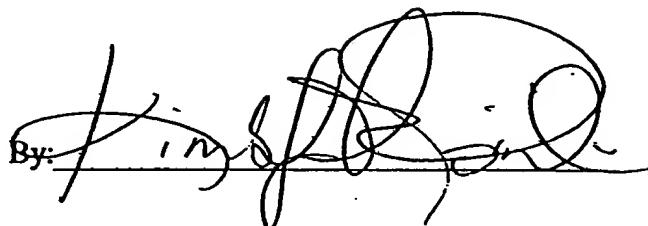
418 Rec'd PCT/PTO 03 MAY 1999.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL375784614US addressed to:

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

on May 3, 1999 by Kimberly A. Quinlan

Dated: May 3, 1999

By: 



211A 2828 PCT NAKAO & ITO

Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO

Internat'l App. No. PCT/JP98/03719

For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME

**EXPRESS MAIL NO.  
EL375784614US**



211A 2828-PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
MINORU TAKEBE et al. )  
International Application No. PCT/JP98/03719 )  
Serial No. 09/284,935 )  
Filed: April 21, 1999 )  
For: BENEFICIAL MICROORGANISM PROPAGATION- )  
PROMOTING MATERIAL AND A PROCESS FOR )  
PREPARING THE SAME )  
ATTN: BOX PCT

## LETTER

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

In regards to the above-identified application which was entered into the U.S. National Stage without the Declaration of the inventors, a notification pursuant to 37 CFR 1.494(c) has not yet been issued or sent to the undersigned. However, pursuant to the instructions given to the undersigned by the PCT Help Desk, enclosed herewith please find an executed Declaration & Power of Attorney form and a check in the sum of \$130.00 as the late filing fee so that the requirements for this application can be met. Still further, enclosed herewith pleased find an Assignment, Recordation Form Cover Sheet and a check in the sum of \$40.00 as the recordation fee.

If any further fees are required by the acceptance of the enclosed forms, please charge those fees of KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445

Respectfully submitted,

KODA & ANDROLIA

10100 Santa Monica Boulevard  
Suite 2340  
Los Angeles, CA 90067  
Tel: (310) 277-1391  
Fax: (310) 277-4118

  
By \_\_\_\_\_  
William L. Androlia  
Reg. No. 27,177



DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

09 / 284 935

U.S. APPLICATION NO.

OPIE

09/284,935

RECEIVED

MAR 26 2002

US STAKEBE

KODA & ANDROLIA  
10100 SANTA MONICA BOULEVARD  
SUITE 2340  
LOS ANGELES CA 90067

RECEIVED  
5611

MAY 27 1999

KODA & ANDROLIA

RECEIVED

FIRST NAMED APPLICANT ATTY. DOCKET NO.

M 211A 2828 PC

INTERNATIONAL APPLICATION NO.

PCT/JP98/03719

I.A. FILING DATE PRIORITY DATE

08/21/98 08/21/97

DATE MAILED:

05/24/99

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the international application in:
  - a non-English language.
  - English.

- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed 21 April 1999 and \_\_\_\_\_.
- Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_.
- Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report  and copies of the references cited therein.
- Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.  
5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation

PTO-875

FORM PCT/DO/EO/905 (December 1997)

S. Ahmed  
Telephone: (703) 305-3659

Tab settings □ □ □ □ □

ORDINATION FORM COVER  
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

211A 2828 PCT

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

MINORU TAKEBE and MASAKAZU MORIMOTO

## 2. Name and address of receiving party(ies)

Name: NICHIMO CO., LTD.

Internal Address:

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_

Execution Date: April 22, 1999

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No.(s)

09/284,935

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: KODA &amp; ANDROLIA

Internal Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_6. Total number of applications and patents involved:  1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

11-1445

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

William L. Androlia  
Reg. No. 27,177

Name of Person Signing

Signature

05/03/1999

Date

2

Total number of pages including cover sheet, attachments, and document:

# Assignment

211A 2828 PCT

(1) MINORU TAKEBE

(2) MASAKAZU MORIMOTO

(3) \_\_\_\_\_ and

(4) \_\_\_\_\_

(1-4) Insert Name(s) of Inventor(s)

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign and hereby does assign, transfer and set over to

(5) NICHIMO CO., LTD.

(6) of 6-2, Otemachi 2-chome

Chiyoda-ku, Tokyo 100-0004, Japan

(hereinafter designated as the Assignee) the entire right, title and interest for the United States, its territories, dependencies and possessions, in the invention known as

(7) BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING

MATERIAL AND A PROCESS FOR PREPARING THE SAME

for which the undersigned has (have) executed an application for patent in the United States of America

(8) Insert Date of Signing of Application

(8) on April 22, 1999

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

6) The undersigned hereby grant(s) WILLIAM L. ANDROLIA, Reg. No. 27,177 and H. HENRY KODA, Reg. No. 27,729, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

Date 04/22/1999 Signature of Inventor  (SEAL)

Date 04/22/1999 Signature of Inventor  (SEAL)

Date \_\_\_\_\_ Signature of Inventor \_\_\_\_\_ (SEAL)

Date \_\_\_\_\_ Signature of Inventor \_\_\_\_\_ (SEAL)

This assignment should preferably be signed before: (a) a Notary Public if within the U.S.A. (b) a U.S. Consul if outside the U.S.A. If neither, then it should be signed before at least two witnesses who also sign here:

Date \_\_\_\_\_ Witness \_\_\_\_\_

Date \_\_\_\_\_ Witness \_\_\_\_\_

**DECLARATION AND  
POWER OF ATTORNEY**

PATENT (U.S.A.)  
KODA & ANDROLIA  
ATTORNEY'S DOCKET NO.

211A 2828 PCT

As a below named inventor, I declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled BENEFICIAL MICROORGANISM

PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE the specification of which is attached hereto unless the following box is checked: SAME

was filed on 04/21/1999 as United States Application Number or PCT International Application Number 09/284,935 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or Inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the appropriate line, any foreign application for patent or Inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

COPRIOR FOREIGN APPLICATION(S)				
COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED	
		Month Day Year	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Japan	225296/1997	08 21 1997	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>
			YES <input type="checkbox"/>	NO <input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

APPLICATION NUMBER	FILING DATE	STATUS - PATENTED, PENDING, ABANDONED
PCT/JP98/03719	08/21/1998	Pending

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.

WILLIAM L. ANDROLIA, REG. NO. 27,177; H. HENRY KODA, Reg. No. 27,729; ALEX CHARTOVE, Reg. No. 31,942.

SEND ALL CORRESPONDENCE TO: <b>KODA &amp; ANDROLIA</b> 10100 SANTA MONICA BLVD., SUITE 2340 LOS ANGELES, CALIFORNIA 90067			DIRECT TELEPHONE CALLS TO: <b>KODA &amp; ANDROLIA</b> (310) 277-1391	
--	--	--	--	--

21	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
	Post Office Address	MINORU	TAKEBE		TOKYO	JAPAN
22	Post Office Address	6-2, Otemachi 2-chome, Chiyoda-ku, Tokyo 100-0004, Japan				CITIZENSHIP
	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
23	Post Office Address	MASAKAZU	MORIMOTO		TOKYO	JAPAN
	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY
24	Post Office Address	6-2, Otemachi 2-chome, Chiyoda-ku, Tokyo 100-0004, Japan				CITIZENSHIP
	Name of Inventor	FIRST NAME	LAST NAME	MIDDLE NAME	Residence CITY	STATE or COUNTRY

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements and the like may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE OF INVENTOR 201 	SIGNATURE OF INVENTOR 202 
DATE April 22, 1999	DATE April 22, 1999
SIGNATURE OF INVENTOR 203	SIGNATURE OF INVENTOR 204
DATE	DATE

Additional inventors are named on separate Declarations attached hereto.

FORM DPA PAT (REV 07/90)

O I P E  
MAR 26 2002

J.2 Rec'd PCT/PTO 26 MAR 2002

1600

211A 2828 PCT-CPA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MINORU TAKEBE

Serial No: 09/284,935

Filed: May 3, 1999

For: BENEFICIAL MICROORGANISM  
PROPAGATION-PROMOTING  
MATERIAL AND A PROCESS FOR  
PREPARING THE SAME

Art Unit: 1651

Examiner: V. Afremova

RECEIVED

APR 05 2002

TECH CENTER 1600/2900

**FIFTH REQUEST FOR CORRECTED FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Attached is a copy of the corrected official filing receipt received from the U.S. Patent Office in the above application for which issuance of a corrected filing receipt is respectfully requested. In particular, the filing date is once again incorrect. The correct filing date of the present application is **May 3, 1999**. As evidence thereof, Applicant attach the following documents:

1. Letter dated May 3, 1999 which was transmitted to the U.S. Patent Office via Express Mail No. EL375784614US enclosing the executed Declaration and Power of Attorney and Assignment documents, surcharge of \$130 for late filing of Declaration and Power of Attorney, Assignment recordation fee of \$40 and a returned postcard which has the USPTO mail stamp affixed with May 3, 1999 date;
2. Letter dated May 27, 1999 in response to the Notification of Missing Requirement of May 24, 1999 which indicates that the missing Declaration and Power of Attorney together with a \$130 surcharge were already transmitted to the U.S. Patent Office via Express Mail on May 3, 1999;
3. Letter dated August 10, 1999 which requested a correct 35 USC 102(e) date to be May 3, 1999;

4. Letter dated August 10, 1999 which requested a Corrected Filing Receipt with correct filing date of May 3, 1999 and title; and

5. Request dated October 23, 2001 which requested the Patent Office to correct the filing date and title with attachments that included items 1-4 listed above.

In view of the above, as the U.S. Patent Office was in possession of the executed Declaration and Power of Attorney on May 3, 1999, it is respectfully requested that the Patent Office accord the filing date of **May 3, 1999** to the above-identified application, correct its records and issue a corrected filing receipt..

Respectfully submitted,

KODA & ANDROLIA

By:

William L. Androlia

Reg. No. 27,177

2029 Century Park East  
Suite 3850  
Los Angeles, CA 90067-3024  
Tel: (310) 277-1391  
Fax: (310) 277-4118

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington D.C. 20231, on

March 14, 2002

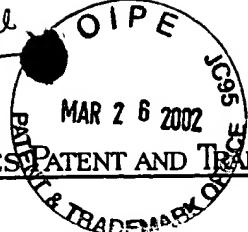
Date of Deposit

William L. Androlia

Name

3/14/2002

Signature Date

~~Corrected~~

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/284,935	06/01/1999 05/03/1999	1651	1510	211A-2828- PC	2	12	3

CONFIRMATION NO. 3005

RECEIVED

CORRECTED FILING RECEIPT



\*OC000000007535112\*

KODA & ANDROLIA  
2029 CENTURY PARK EAST  
SUITE 3850  
LOS ANGELES, CA 90067-3024

MAR - 5 2002

KODA &amp; ANDROLIA

Date Mailed: 02/26/2002

Receipt is acknowledged of a CPA in this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

MINORU TAKEBE, TOKYO, JAPAN;  
MASAKAZU MORIMOTO, TOKYO, JAPAN;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/JP98/03719 08/21/1998

## Foreign Applications

JAPAN 225296/1997 08/21/1997

## If Required, Foreign Filing License Granted 08/29/2001

CPA filed on: 04/17/2001

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

## Title

BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS  
FOR PREPARING THE SAME

# COPY



211A 2828 PCT NAKAO & ITO

Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO

Serial No. 09/284,935

For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING  
MATERIAL AND A PROCESS FOR PREPARING THE SAME

LETTER, MAILING CERTIFICATE, DECLARATION OF POWER OF  
ATTORNEY, ASSIGNMENT, RECORDATION FORM COVER SHEET,  
AND CHECKS FOR \$130.00 AND \$40.00.

RECEIVED

MAY 11 1999

Sent to PO: May 3, 1999

KODA & ANDROLIA

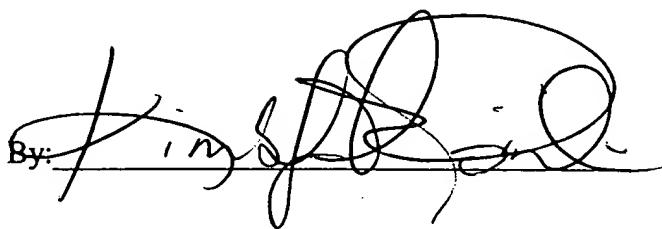
418 Rec'd PCT/PTO 03 MAY 1999

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL375784614US addressed to:

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

on May 3, 1999 by Kimberly A. Quinlan

Dated: May 3, 1999

By: 

211A 2828 PCT NAKAO & ITO  
Inventors: MINORU TAKEBE and MASAKAZU MORIMOTO  
Internat'l App. No. PCT/JP98/03719  
For: BENEFICIAL MICROORGANISM PROPAGATION-PROMOTING MATERIAL AND A PROCESS FOR PREPARING THE SAME